

UNITED STATES DISTRICT COURT  
Northern District of California

ROBERT F SAMUEL,

No. C 12-05871 MEJ

Plaintiff(s),

**ORDER TO SHOW CAUSE**

v.

CITIMORTGAGE INC,

Defendant(s).

On January 11, 2013, the Defendant(s) in the above-captioned matter filed a motion to dismiss, with a noticed hearing date of February 21, 2013. Dkt. No. 5. However, Plaintiff(s) failed to file an opposition pursuant to Civil Local Rule 7. Accordingly, the Court hereby VACATES the February 21 hearing and ORDERS Plaintiff(s) Robert F. Samuel and Patricia A. Samuel to show cause why this case should not be dismissed for failure to prosecute and failure to comply with court deadlines. Plaintiff(s) shall file a declaration by February 7, 2013. If a responsive declaration is filed, the Court shall either issue an order based on the declaration or conduct a hearing on February 21, 2013 at 10:00 a.m. in Courtroom B, 15th Floor, 450 Golden Gate Avenue, San Francisco, California. Notice is hereby given to Plaintiff(s) that the Court may dismiss the case without a hearing if no responsive declaration is filed. Thus, it is imperative that Plaintiff(s) file a written response by the deadline above.

**IT IS SO ORDERED.**

Dated: January 28, 2013

  
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Maria-Elena James  
United States Magistrate Judge